

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

GENERAL REFRACTORIES COMPANY,

Plaintiff,

v.

FIRST STATE INSURANCE COMPANY, ICO,
et al.,

Defendants.

No. 2:04-CV-03509

**MOTION TO DISMISS WITH PREJUDICE THE DEFENDANTS WHO HAVE
SETTLED**

General Refractories Company ("GRC") has settled with Hartford Insurance Company, First State Insurance Company, Westport Insurance Company formerly known as Puritan Insurance Company, and Sentry Insurance Company as assumptive reinsurer of Great Southwest Fire Insurance Company sued here as Vanliner Insurance Company (collectively, the "Settled Carriers"). GRC, along with the Settled Carriers request that this Court dismissed Settled Carriers as parties to this litigation, and all claims, cross-claims or third-party claims that any party has asserted or could have asserted against any of the Settled Carriers with respect to coverage for asbestos lawsuits brought against GRC in this action are dismissed with prejudice. GRC and the Settled Defendants incorporate herein by reference their memorandum of Law filed in support of this Motion. While GRC and the Settled Defendants sought consent to this motion

from the remaining Defendants, the remaining Defendants did not respond to the request.

Respectfully submitted,

Dated: June 4, 2013

/s/

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